

UNITED STATES DISTRICT COURT FOR THE  
MIDDLE DISTRICT OF TENNESSEE  
NASHVILLE DIVISION

JOHNNY M. HUNT, )  
 )  
 *Plaintiff,* )  
 ) No. 3:23-cv-00243  
 v. )  
 ) JUDGE CAMPBELL  
 SOUTHERN BAPTIST CONVENTION; ) MAGISTRATE JUDGE FRENSELY  
 GUIDEPOST SOLUTIONS LLC; and )  
 EXECUTIVE COMMITTEE OF THE ) JURY DEMAND  
 SOUTHERN BAPTIST CONVENTION, )  
 )  
 *Defendants.* )

**THE EXECUTIVE COMMITTEE OF THE SOUTHERN BAPTIST CONVENTION'S  
OPPOSED MOTION TO MODIFY INITIAL CASE MANAGEMENT ORDER TO  
EXTEND TIME TO COMPLETE FACT DISCOVERY**

Pursuant to Rules 6(b)(1)(A) and 16(b)(4) of the Federal Rules of Civil Procedure, Local Rules 6.01(a) and 7.01, and the Court's Initial Case Management Order (Doc. 37, PageID #520), the defendant, the Executive Committee of the Southern Baptist Convention (the "EC") respectfully moves to modify the Initial Case Management Order to permit the parties up to and including March 22, 2024, to complete fact discovery, including written discovery and oral discovery, and to file motions regarding discovery. Defendants Southern Baptist Convention and Guidepost Solutions LLC agree to this extension, but Plaintiff is opposed. As explained in more detail in the EC's accompanying Memorandum of Law, the EC has good cause for this extension, and states as follows:

1. The defendants have worked diligently to complete discovery, and the EC has diligently sought production of Plaintiff's damages model and related documents since at least September 14, 2023.

2. Despite those requests, Plaintiff did not produce any information as to his alleged damages, including the information required under Rule 26(a)(1) of the Federal Rules of Civil Procedure, until January 9, 2024, when Plaintiff, for the first time, claimed his is seeking approximately \$100 million in damages from the Defendants.

3. Given the relatively short time until the close of fact discovery, the EC seeks additional time to complete fact discovery concerning Plaintiff's damages model and related issues.

4. Further, no party will be prejudiced by extending the deadline to complete fact discovery in this case.

5. Accordingly, the EC files this motion to request up to and including March 22, 2024, to complete fact witness depositions and written discovery and to file motions regarding discovery. If the Court grants this motion, the parties' new deadline will be March 22, 2024.

6. Pursuant to paragraph M of the Initial Case Management Order, the existing deadlines are as follows:

- a. The current deadline to complete all written discovery is February 2, 2024.
- b. The current deadline to file discovery motions is February 2, 2024.
- c. The parties must submit a joint report confirming that the parties made a good faith attempt to resolve this case by February 16, 2024.
- d. The party bearing the burden of proof on an issue must identify and disclose all expert witnesses and expert reports on or before February 23, 2024.
- e. The current deadline to depose all fact witnesses is March 4, 2024.
- f. The party not bearing the burden of proof on the issue shall identify and disclose all expert witnesses and reports on or before March 29, 2024.
- g. Expert depositions shall be completed by April 26, 2024.

- h. Dispositive motions must be filed no later than June 7, 2024, with responses due within 28 days after the filing of the motion, and optional replies due within 14 days after the filing of the response.
  - i. The jury trial is set for November 12, 2024.
- 7. The EC relies on the following exhibits in support of this motion:
  - a. Plaintiff's Initial Disclosures, attached hereto as **Exhibit 1**;
  - b. The EC's First Set of Interrogatories and First set of Requests for Production, attached hereto as **Exhibit 2**;
  - c. Plaintiff's Discovery Responses to the EC's first set of discovery, attached hereto as **Exhibit 3**;
  - d. EC's deficiency letter to Plaintiff dated October 30, 2023, attached hereto as **Exhibit 4**;
  - e. Plaintiff's response letter to the EC dated November 17, 2023, attached hereto as **Exhibit 5**;
  - f. EC's second deficiency letter to Plaintiff dated December 12, 2023, attached hereto as **Exhibit 6**;
  - g. Plaintiff's second response letter to the EC dated December 14, 2023, attached hereto as **Exhibit 7**;
  - h. EC's third deficiency letter to Plaintiff dated December 19, 2023, attached hereto as **Exhibit 8**; and
  - i. Plaintiff's Amended Statement of Damages, attached hereto as **Exhibit 9**.
  - j. Correspondence evidencing the meet and confer efforts (following a videoconference meet and confer) is attached as **Exhibit 10**.

8. Pursuant to paragraph M of the Initial Case Management Order, the requested extension will still conform to the requirements of Local Rule 16.01(h)(1) that no dispositive motion deadline, including response and reply briefs, shall be later than 90 days in advance of the trial date.

### **CERTIFICATE OF CONFERENCE**

Counsel for the EC and counsel for Plaintiff met and conferred on January 19, 2024 via videoconference. On January 22, 2024, counsel for the EC followed up by email with counsel for Plaintiff, who responded that Plaintiff is opposed to the relief requested in this motion. Counsel for the EC asked for counsel for Plaintiff to reconsider, and those requests have been ignored. A complete copy of written correspondence regarding this issue is attached as **Exhibit 10**.

### **CONCLUSION**

For these reasons, the EC respectfully requests that the Court modify the Initial Case Management Order to permit the parties up to and including March 22, 2024, to complete all fact discovery, including written and oral discovery, and to file motions regarding discovery.

Respectfully submitted,

*s/ R. Brandon Bundren*

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*Attorneys for the Executive Committee of the Southern  
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## CERTIFICATE OF SERVICE

I certify that on January 31, 2024, I electronically filed a true and correct copy of The Executive Committee of the Southern Baptist Convention's Motion to Modify the Initial Case Management Order with the Clerk of Court for the U.S. District Court Middle District of Tennessee through the Court's Electronic Case Filing System, which will automatically serve all counsel of record listed below:

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s/ R. Brandon Bundren

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